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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Koenig et al.	Confirmation No.:	1503
Serial No.:	10/524,134	Art Unit:	1644
Filed:	February 11, 2005	Examiner:	Crowder, Chun
For:	FcγRIIB Specific Antibodies and Methods of Use Thereof	Attorney Docket No:	11183-003-999

**STATEMENT REGARDING THE PERMANENCE AND AVAILABILITY OF DEPOSITED MICROORGANISMS UNDER 37 C.F.R. §§ 1.801-1.809**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, attorneys for MacroGenics, Inc., having a place for the transaction of business at 1500 East Gude Drive, Rockville, Maryland 20850-5307, the assignee of the above-captioned application, declare and state that:

1. The mouse hybridomas producing the anti-FcγRIIB antibodies 2B6 and 3H7 were deposited with the American Type Culture Collection (ATCC), located at 10801 University Boulevard, Manassas, Virginia 20110-2209 on August 13, 2002, in compliance with the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (“Budapest Treaty”) on behalf of MedImmune, Inc. The deposited microorganisms were assigned Accession Nos. PTA-4591 and PTA-4592, respectively.

2. We hereby assure the United States Patent and Trademark Office and the public that (a) all restrictions on the availability to the public of the microorganisms referred to in paragraph 2 will be irrevocably removed upon issuance of a United States patent of which such microorganisms are subject; (b) the microorganisms will be maintained

**EXHIBIT A**

for a term of at least thirty (30) years and at least five (5) years after the most recent request for the furnishing of a sample(s) of the deposited microorganisms was received by the ATCC, and in any case, samples will be stored under agreements that would make them available beyond the enforceable life of the patent for which the deposits were made; (c) should the deposits become non-viable, they will be replaced by the assignee; and (d) access to the microorganisms will be available to the Commissioner during the pendency of the patent application or to one determined by the Commissioner to be entitled to such microorganisms under 37 C.F.R. § 1.14 and 35 U.S.C. § 122. A copy of the Receipt of Deposit for the microorganisms referred to in paragraph 2 has been attached to this statement.

3. We hereby declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true and further that we make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under § 1001 of Title 18, and would jeopardize the validity of the application or any patent issuing thereon.

Date: October 10, 2006

Respectfully submitted,

  
Margaret B. Brivanlou  
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40,922  
(Reg. No.)